

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO.: 3:06-CV-00114

CINTAS CORPORATION, a Washington  
Corporation,

Petitioner,

vs.

JONATHAN ALLRED, MICHAEL LEE ALLSHOUSE,  
CHRISTOPHER J. AMES, SILAS RAY “BO” BOLEN  
JR., THOMAS SCOTT BRANSCOME, JAMES RYAN  
CRAWFORD, CHAD CREWS, JEAN LANDE DIXON,  
ROY DIXON III, KENNETH FARTHING, RICK  
FERRELL, JON CURTIS FINCHAM, SARAH HANSON,  
CADERIS HEATH, SIDNEY HOWELL, JEFF C.  
JOHNSON, MARK H. JOHNSON, TODD JOHNSON,  
THOMAS JAP LEDBETTER SR., JOE K. MARTIN,  
STEVEN MCCABE, AARON R. MCCOIN, KEVIN  
NEIL MONTEITH, CARL T. MORELL JR., CHRIS  
OBLINGER, CECIL PURCELL, SCOTT ROBINETTE,  
ANTONIO ROBINSON, JAMES DANIEL RUDD,  
STEVEN SHEETS, BRIAN JAMES SHELTON,  
MICHAEL SMITH, CHRISTOPHER STRADER, JAMES  
THERIAULT, THOMAS WEBB, STEPHEN  
WEISBECKER, ROBERT WILLIAMS and WILLIAM  
YOWELL, individuals,

ORDER RE: (1) SERVICE OF PROCESS,  
AND (2) STAYING FURTHER PROCEEDING  
PENDING DECISION ON MOTION BEFORE  
THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION TO  
TRANSFER AND CONSOLIDATE UNDER  
28 U.S.C. § 1407

Respondents.

Counsel for the above-named parties entered into a Stipulation Regarding (1) Service of  
Process, and (2) Staying Further Proceedings Pending Decision on Motion Before the Judicial  
Panel on Multidistrict Litigation to Transfer and Consolidate Under 28 U.S.C. § 1407. The  
Stipulation states as follows:

WHEREAS, Cintas Corporation (“Cintas”) initiated this Petition proceeding in this Court  
by filing its Petition for Order Directing Arbitration to Proceed in the Manner Provided for in

Written Agreement for Arbitration, in Accordance with the Terms of the Agreement, Pursuant to 9 U.S.C. §4 (“this Petition proceeding”);

WHEREAS, the Respondents in this Petition proceeding, whom the undersigned Respondents’ counsel hereby confirm they represent, are individuals who filed Consent-to-Sue forms pursuant to the Fair Labor Standards Act, 29 U.S.C. Section 216(b), in the action entitled *Veliz et al. v. Cintas Corporation*, Case No. C 03-1180 SBA (N.D. Cal.) (the “*Veliz* Litigation”);

WHEREAS, *Veliz* Plaintiffs’ Counsel have filed with the Judicial Panel on Multidistrict Litigation (“JPML”) the *Veliz* Plaintiffs’ Motion to Transfer and Consolidate Pursuant to 28 U.S.C. §1407 (“MDL Motion”), which motion Cintas opposes;

WHEREAS, the MDL Motion seeks to transfer and consolidate this proceeding with 69 other Petition proceedings initiated by Cintas in other federal district courts, for pretrial proceedings before the United States District Court for the Northern District of California;

WHEREAS, each of the respective parties’ agreement to each and all of the matters herein is conditioned upon the Court’s approval, by entry of the Order stipulated to herein, of this entire Stipulation and Order as written;

NOW, THEREFORE, the parties hereto, by and through their respective undersigned counsel, hereby stipulate to an Order as follows:

.No part of this Stipulation and Order is effective unless the Court accepts every part of it as written, by entering the Order as set forth herein.

.Upon the effective date of this Stipulation and Order and delivery to one of Respondents' undersigned counsel of all documents required to be served upon Respondents in connection with this Petition proceeding (which delivery may occur either before or after the effective date of this Stipulation and Order), service of the Summons issued by this Court in connection with this Petition proceeding and service of the Petition and all other documents required to be served upon Respondents in this proceeding as of the date the undersigned counsel signed this Stipulation and Order are deemed complete by virtue of the acceptance by Respondents' undersigned counsel of service on their behalf, pursuant to Fed. R. Civ. P. 4(e)(2), which acceptance is hereby acknowledged. Entry of the Order by the Court on this Stipulation and Order shall constitute the Proof of Service as to each Respondent as to whom Cintas has not already filed a Proof of Service.

.By no later than the effective date of this Stipulation and Order, Cintas will cease efforts to serve process directly upon Respondents in this Petition proceeding.

.From the effective date of this Stipulation and Order, this Petition proceeding shall be stayed, except as otherwise provided in this Stipulation and Order, until 30 days after the JPML issues its decision on the pending MDL Motion; provided, however, that if the MDL Motion is granted, nothing herein shall operate as any stay in any transferee Court to which this Petition proceeding may be transferred by order of the JPML.

.The stay issued pursuant to this Stipulation and Order does not apply to the filing and entry of any Request for Dismissal as to any Respondent, so that if a resolution of claims occurs as between Cintas and a Respondent, the entry of dismissal of such a Respondent from this Petition proceeding will not be stayed.

.This Stipulation and Order may be executed in separate counterparts by each of the parties hereto, and such executed counterparts may be exchanged by facsimile or electronically, but all such counterparts taken together shall form but one and the same Stipulation and Order.

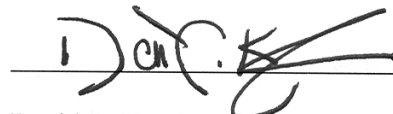
.The date that this Stipulation and Order shall become effective is the date the Order on it is entered by the Court and filed on the Court's electronic filing system.

Based on the above Stipulation, the Court hereby enters the following:

### **ORDER**

PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED.

Signed: May 17, 2006

  
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David C. Keesler  
United States Magistrate Judge

